

# Santa Clara Valley Habitat Plan

**City of San José  
City Council**

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**SANTA CLARA VALLEY HCP/NCCP PARTNERSHIP**



 **Jones & Stokes**



# What is the Habitat Plan?

- Mechanism to resolve conflicts between threatened & endangered species and development activities
- Comprehensive plan to conserve species & habitats **on large regional scale over 50 years** in exchange for permits to “take” threatened or endangered species
- Habitat Conservation Plan (HCP) to comply with the Federal Endangered Species Act
- Natural Community Conservation Plan (NCCP) to comply with the State NCCP Act & CA Endangered Species Act



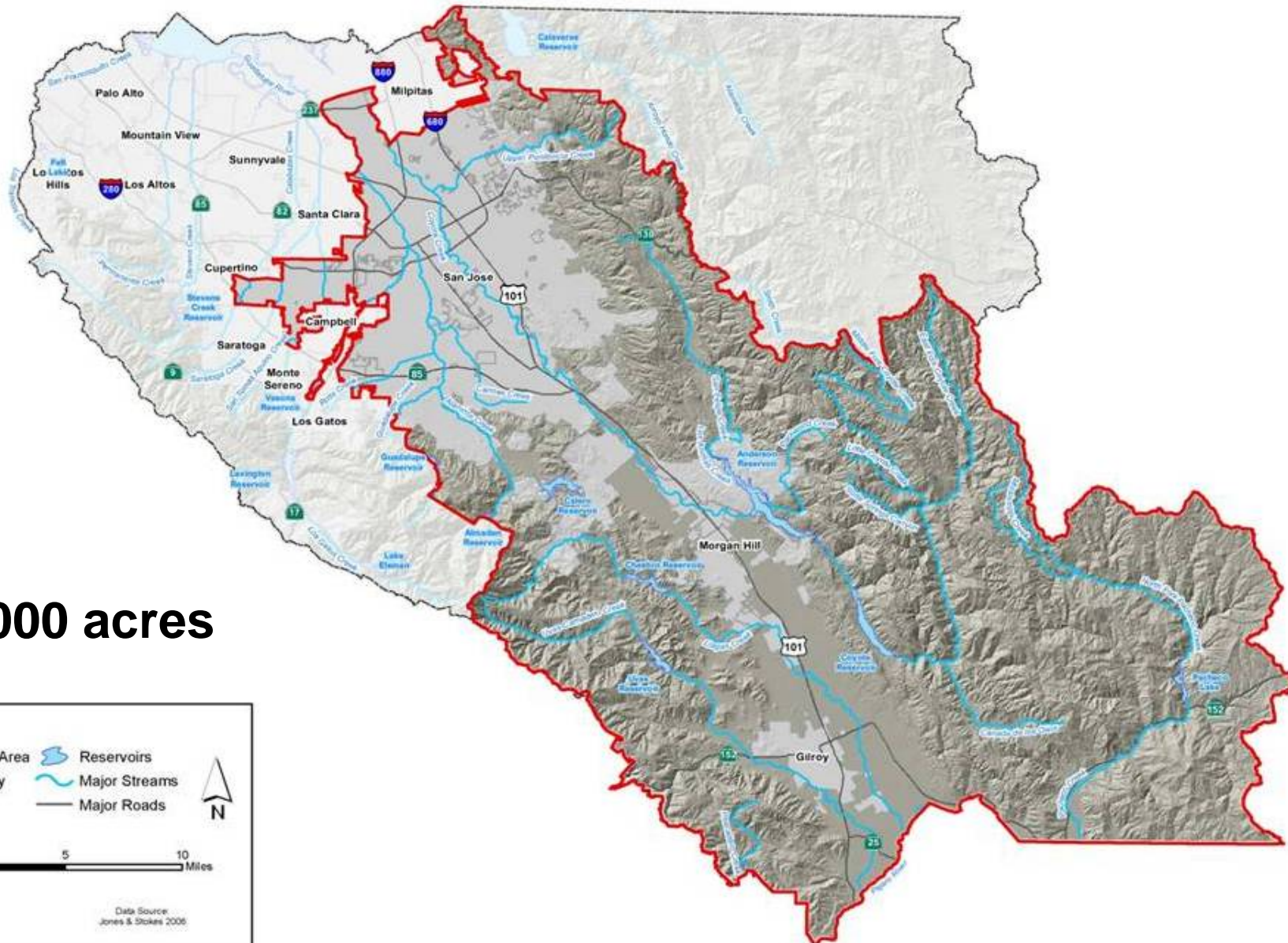


# SCV Habitat Plan Origins

- USFWS Sect. 7 Biological Opinion (2001) requires regional HCP
  - Hwy 101 widening (San Jose to Morgan Hill)
  - Bailey Avenue interchange
  - Hwy 85/101 interchange
  - Coyote Valley Research Park
- Local Partners bound by MOU (June 2004)
  - Santa Clara County
  - City of San Jose
  - Santa Clara Valley Water District
  - Santa Clara Valley Transportation Authority
  - City of Gilroy and City of Morgan Hill (2005)
- NCCP Planning Agreement signed by all (October 2005)
- Participating Agencies:
  - CA Dept. Fish & Game (CDFG), US Fish & Wildlife Service (USFWS), National Marine Fisheries Service (NMFS), CA State Parks



# Study Area





# What the Habitat Plan Will Do

- **Provide permit certainty.** USFWS, CDFG, NMFS issue permits for “take” of listed species to Local Partners.
- **Streamline projects.** Local Partner jurisdictions will extend this take authorization to applicants who meet requirements of Habitat Plan.
- **Pre-defined mitigation.** Provide large-scale habitat and species conservation in areas of high biological value; avoid project-by-project approach.
- **Provide new money.** Attract new sources of state and federal funding for conservation in County.
- **Provide biological data.** GIS based approach with land covers mapped for the entire study area.

# 1. Permit Term

- ***Duration of the implementation agreement allowing local permitting and species take authorization***

- **Issues:**

What should be the duration of the permit term?

- **Recommendation:**

- ✓ 50-year permit term
- ✓ Land acquisition completed by year 45 (or 40)
- ✓ Monitoring & Adaptive Management
  - Annual monitoring & reporting
  - Comprehensive “audit” every 5 years



## 2. Covered Activities

- ***Activities eligible to receive authorization for species take permits***
- **Issue:**  
What public and private sector activities should be covered in the Habitat Plan?
- **Recommendation:**
  - ✓ Implement City's General Plan within UGB
  - ✓ Also rural development, new public infrastructure, operations and maintenance
  - ✓ Implementation of Habitat Reserve System

# 3. Preferred Conservation Strategy

- *Collection of actions that mitigate the impacts of the covered activities and contribute to long term species recovery*
- **Issue:**  
Should the Habitat Plan move forward with current preferred conservation strategy?
- **Recommendation:**
  - ✓ Provide a balanced conservation strategy between enhancement of existing open space and streams, and acquisition of new open space lands
  - ✓ Focus conservation actions on lands of highest biological value



# Conservation Strategy Highlights

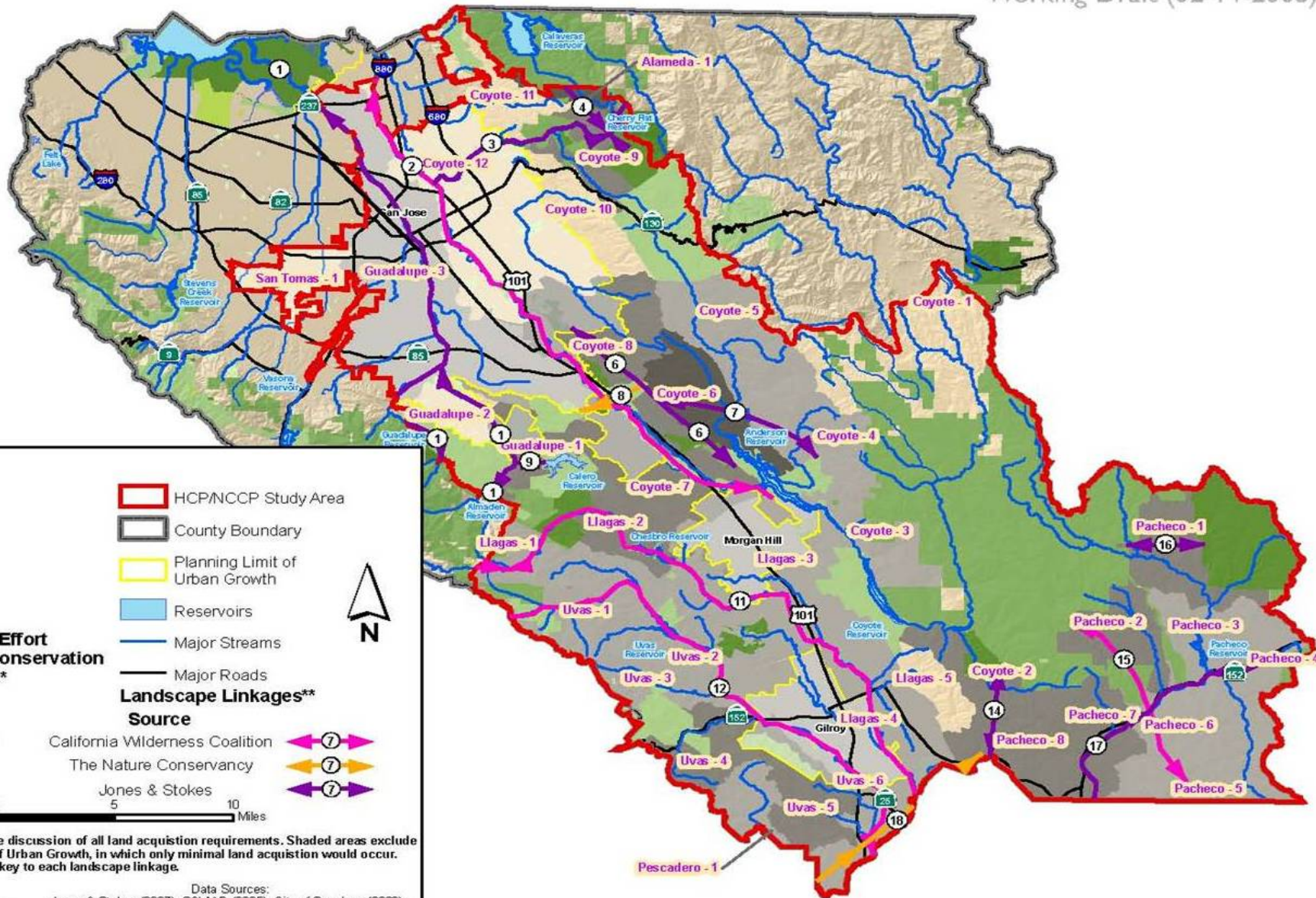
- Acquisition and enhancement of ~45,000 acres of high-quality habitat
  - Fee title and conservation easement
- Enhancement on public lands of ~25,000 acres of important habitat
- Restoration of 1,000 acres of degraded habitats and 45 miles of degraded stream
- Focused conservation actions throughout study area to benefit the covered species
- Long-term management and monitoring





# Draft Land Conservation Strategy

Working Draft (02-14-2008)



### Legend

#### Open Space

- Type 1
- Type 2
- Type 3
- Type 4

#### Conservation Effort Within Each Conservation Analysis Zone\*

- High
- Moderate
- Low

#### Landscape Linkages\*\*

Source

- California Wilderness Coalition
- The Nature Conservancy
- Jones & Stokes

- HCP/NCCP Study Area
- County Boundary
- Planning Limit of Urban Growth
- Reservoirs
- Major Streams
- Major Roads

5 2.5 0 5 10 Miles

\*See text for complete discussion of all land acquisition requirements. Shaded areas exclude the Planning Limits of Urban Growth, in which only minimal land acquisition would occur.  
 \*\* See Table 5-6 for a key to each landscape linkage.

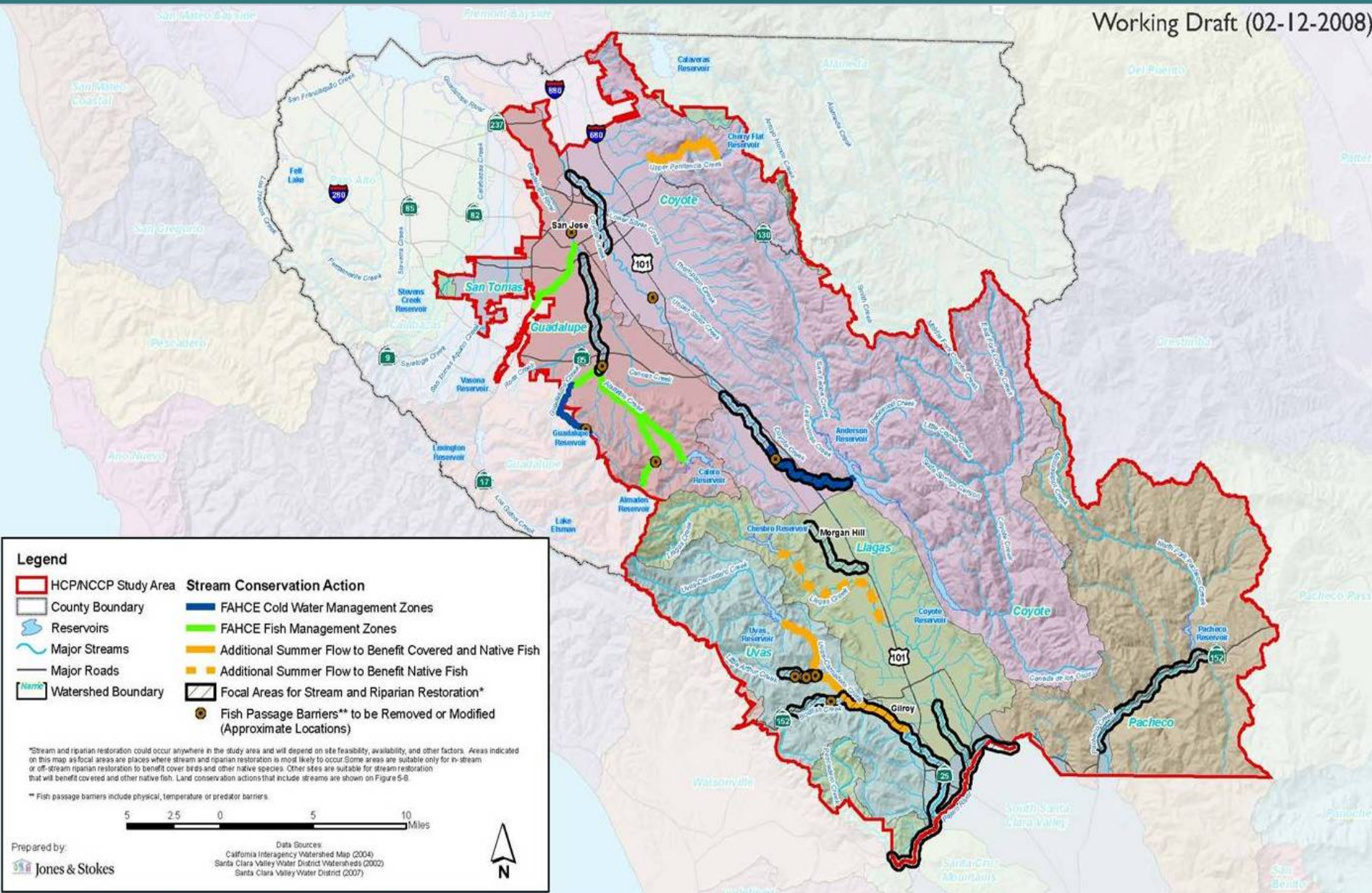
Prepared by: Jones & Stokes

Data Sources: Jones & Stokes (2007), SCVMD (2005), City of San Jose (2006), City of Morgan Hill (2006), City of Gilroy (2006)



# Draft Stream Conservation Strategy

Working Draft (02-12-2008)





# 4. Project Review Process

- ***Conditions on covered activities to avoid and minimize impacts to key resources***
- **Issues:**

What principles should be included in the Habitat Plan to guide the review process?
- **Recommendation:**
  - ✓ Simplify the endangered species permit process and anticipate future requirements
  - ✓ Focus on requirements that would be needed for CEQA compliance
  - ✓ Some possible exemptions have been identified



# 5. Habitat Plan Costs

- ***An accurate estimate of full Habitat Plan costs is essential to demonstrating adequate funding and meeting regulatory standards***
- **Issue:**  
Have the correct cost principles been identified to guide the Habitat Plan?
- **Recommendation:**
  - ✓ Estimated Habitat Plan costs, approx. \$800-900 million (2007 dollars) over 50 years for preferred conservation strategy → should be incorporated into Draft Habitat Plan



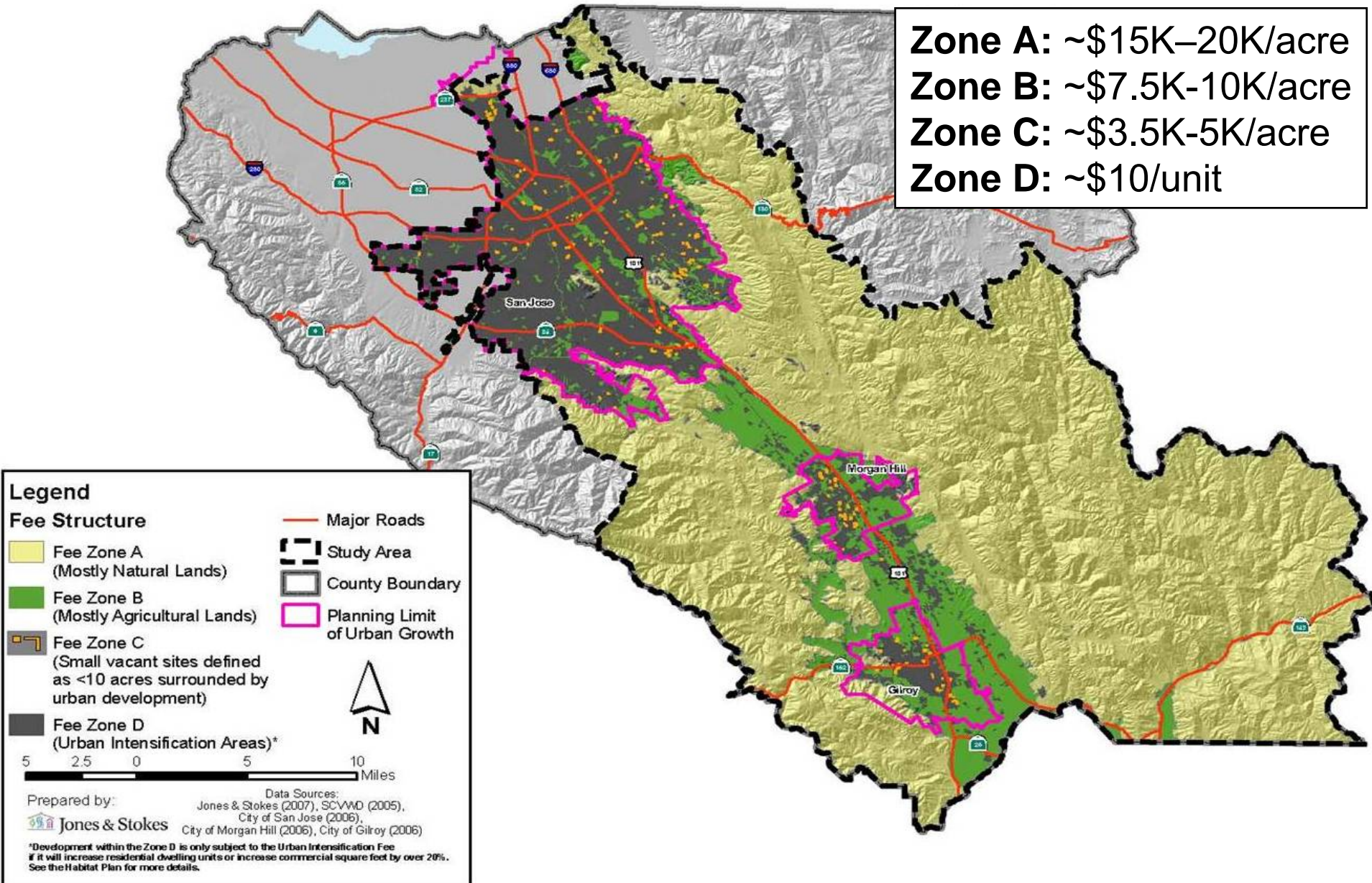
# 6. Habitat Plan Funding

- *Evidence of secured funding sources is a regulatory requirement of the Habitat Plan*
- **Issues:**
  - ✓ Is the identified funding strategy regarding types and timing of fees acceptable to the City?
  - ✓ Should there be a fee grace period for projects in the pipeline prior to Habitat Plan approval?
- **Recommendation:**
  - ✓ Majority of funding by development impact fees
  - ✓ To a lesser extent - funding by existing open space agencies and State and Federal grants
  - ✓ Fee amounts will be tiered to coincide with habitat value impacts – urban development is lowest fee



# Impact Fees

**Zone A:** ~\$15K–20K/acre  
**Zone B:** ~\$7.5K–10K/acre  
**Zone C:** ~\$3.5K–5K/acre  
**Zone D:** ~\$10/unit





# 7. Implementing Entity

- ***Organizational structure for implementation of the Habitat Plan***

- **Issue:**

What is the appropriate organizational structure for the Implementing Entity?

- **Recommendation:**

- ✓ No organizational structure recommendation at this time (under study & analysis)
- ✓ Some guiding principles, functions & attributes have been identified



# Next Steps

- Habitat Plan Liaison Group consideration of elected bodies' comments (May 8, 2008)
- 90- day Public review of Draft Habitat Plan and EIR/EIS (early 2009)
- Approve Final Habitat Plan and EIR/EIS (late 2009)
- Agency Permits issued in early 2010
- Adopt local ordinances early to mid-2010



# Contact Information

## Santa Clara Valley Habitat Plan

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